


## MEMORANDUM

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Maxine Brown-Roberts, Project Manager  
 Joel Lawson, Associate Director Development Review

**DATE:** November 10, 2015

**SUBJECT:** BZA Case No. 19111 – Victory Village Development Cooperation Community Service Center

### **I. OFFICE OF PLANNING RECOMMENDATION**

Victory Village Development Corporation (Applicant) requests special exception review pursuant to § 3104.2 and § 334, Community Service Center within the R-4 district. On November 5, 2015 the Applicant amended the application to request for a variance from the parking requirements of § 2117.4

The Office of Planning (OP) finds the subject application to be in conformance with the provisions of § 334 and the test for the parking variance. OP therefore recommends **APPROVAL** of the application.

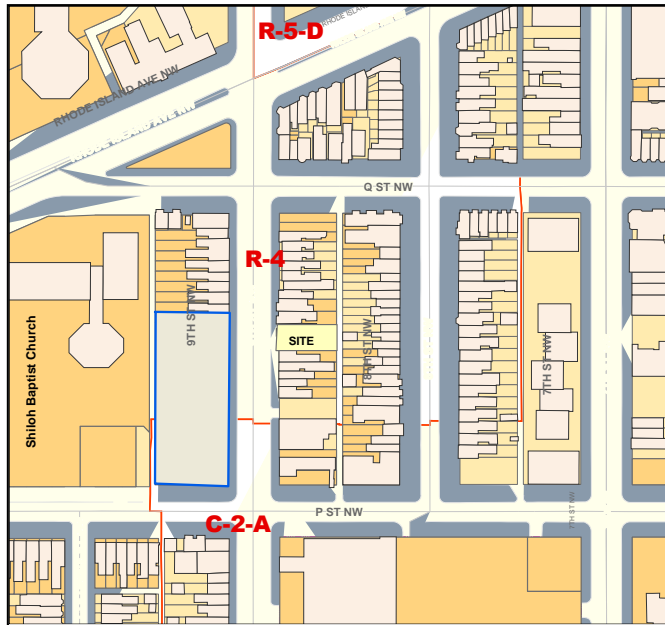
BZA Order 18959 approved a variance from the lot occupancy and the parking requirements for an addition to the existing building and Special Exception review to house a community service center. The applicant abandoned the project and the addition was not constructed.

### **II. LOCATION AND SITE DESCRIPTION**

Address	1533 9 <sup>th</sup> Street, NW
Legal Description	Square 397, Lot 31
Ward	6E
Lot Characteristics	Rectangular lot, with alley access from a 10 foot wide, rear alley.
Existing Development	Two-story structure, currently vacant.
Zoning	R-4 – row dwellings.
Adjacent Properties	North: Row dwelling. South: two-story commercial building. East: Across 9 <sup>th</sup> Street, Shiloh Baptist Church Life Center. West: Private residential garage abutting the subject property, beyond which are row houses.
Surrounding Neighborhood Character	Mixture of residential, institutional and commercial uses.
Historic District	Shaw Historic District.

### III. APPLICATION-IN-BRIEF

The applicant, Victory Village Development Cooperation, proposes to renovate and convert a long vacant building into a community service center. The renovation would include making internal changes to accommodate the proposed use, making the building ADA compliant and providing on-site parking.



Zoning and Vicinity Map



Victory Village, a non-profit organization would operate the 3,360 square foot community service center which would provide incubator space for non-profit and/or small businesses that provide services to the District of Columbia

#### IV. ZONING REQUIREMENTS and REQUESTED RELIEF

	Permitted/Required	Proposed	Relief
<b>Building Height (max.)</b>	40 feet	34.3 feet	None required
<b>Side Yard (min.)</b>	8 ft.	22 ft.	None required
<b>Rear Yard (min.)</b>	20 feet (Min)	22.5 feet	None required
<b>Lot Occupancy (max.)</b>	40 %	29.25%	None required
<b>Parking (min.)</b>	1 space per 600 sq. ft. of GFA 3360 sq. ft. GFA/600 = 6 spaces Per § 2100.4, 1 space is grandfathered – 5 spaces	5	None required
	<sup>1</sup> All space to be accessible for the alley at all times	2 tandem spaces	Required
<b>Use – Community Service Center</b>	Allowed by Special Exception		Requested

<sup>1</sup>If the curb cut along 9th Street, NW is closed.

#### V. OFFICE OF PLANNING ANALYSIS

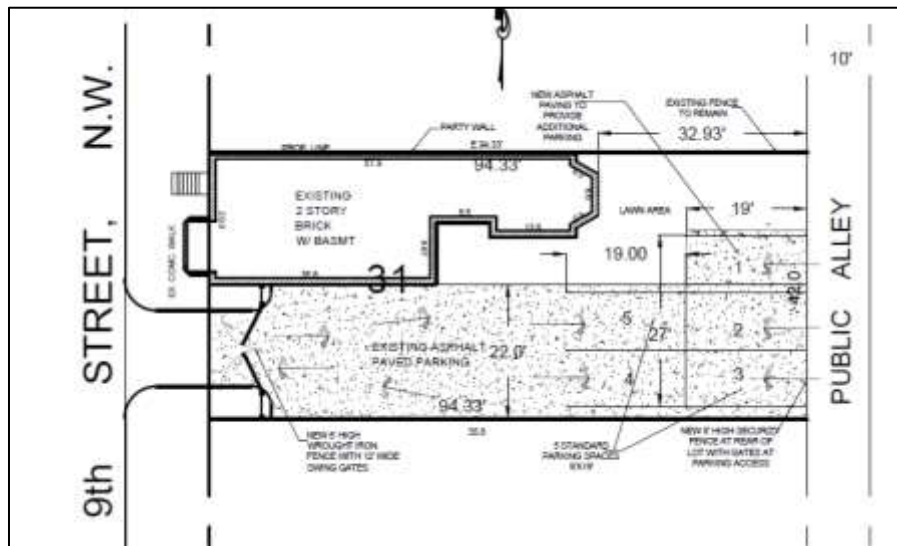
##### Special Exception pursuant to § 334 – Community Service Center (R-4)

According to Section 334.1, “A community service center to accommodate organizations created for the purpose of improving the social or economic well-being of the residents of the neighborhood in which the center is proposed to be located which may include but not be limited to centers for job training, family counseling, consumer cooperatives, and such other facilities as are similar in nature and purpose, shall be permitted as a special exception in an R-4 District if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.”

##### **334.2 A community service center shall be located so that it is not likely to become objectionable to neighboring properties because of noise or other objectionable conditions.**

The center would be located between a residence to the north and an existing business to the south. A north-south alley separates the buildings which front on 9<sup>th</sup> Street from the residences with 8<sup>th</sup> Street frontage. Due to the building’s small square footage, it is not projected to have a large number of employers/employees. The hours of operation would be generally normal office business hours, between 8:00 am to 5:00 pm, Monday through Friday although there is the potential for persons to arrive early or work late. The office use should not generate significant noise. Lighting at the rear of the proposed addition should have no adverse effect on the 8<sup>th</sup> Street residences.

The parking requirement for the uses falls under “all other uses” which requires one space for every 600 square feet of gross floor area (GFA) or six spaces. However, under § 2100.4, the site would have a credit of one space for it prior residential use bringing the requirement to 5 spaces. The Site Plan below shows the proposed five spaces.



The paved, vacant portion of the lot currently has a curb cut to provide vehicular access to a surface parking area at the side of the vacant structure, as well as access to the rear. The parking area would accommodate the required five parking spaces. Three spaces would be directly accessible from the alley and two spaces would have ingress and egress from 9<sup>th</sup> Street. Parking spaces 4 and 5 on the plan would be able to turn around in the 22-foot wide driveway to facilitate face-out egress onto 9<sup>th</sup> Street. The parking area and the property would be secured by a new 6-foot high swing gate along 9<sup>th</sup> Street and by an 8-foot high gate/security fence along the alley.

The site is served by at least one bus line along the 9<sup>th</sup> Street corridor and there is a bus stop within one block of the proposed facility. Metrorail's Green Line, Shaw-Howard University station is within three blocks. OP does not anticipate an adverse effect upon the present character and future development of the neighborhood.

**334.3 *No structural changes shall be made except those required by other municipal laws or regulations.***

Structural changes would be internal and limited to those necessary to meet code regulations for a community service center such as ADA compliant hallways and circulation for the renovated structure as required by building code regulations. Therefore, this provision is satisfied.

**334.4 *The use shall be reasonably necessary or convenient to the neighborhood in which it is proposed to be located.***

The proposed use would act as an extension of the services already provided at the Shiloh Baptist Church's Life Center, which is directly across the street from the proposed service center, and largely serves the Shaw neighborhood.

**334.5 *A community service center shall not be organized for profit, and no part of its net income shall inure to the benefit of any private shareholder or individual.***

The applicant is a non-profit organization and the occupants would be other non-profit organizations that serve District residents.

**Variance from the requirements of § 2117.4**

Since there is a change of uses on the property, former use was residential; the use of the curb cut on 9<sup>th</sup> Street would be subject to review and approval by the District Department of Transportation (DDOT) Public Space Committee. If the use of the curb cut is denied, the parking layout would not be in compliance with § 2117.4 which states:

*2117.4 Except as provided in §§ 2117.5 and 2117.6, each required parking space shall be accessible at all times directly from improved alleys with a minimum width of ten feet (10 ft.) or improved public streets via graded and unobstructed private driveways that form an all-weather surface.*

The current layout would not be able to meet this criterion and is therefore requesting the variance from this requirement preemptively.

**i. Exceptional Situation Resulting in a Practical Difficulty**

If the curb cut is closed, all parking spaces would have to be accessed from the alley. Due to the width of the property all five spaces cannot be directly accessed from the alley. In addition, the location of the building and the narrowness of the remainder of that portion of the property, providing access directly from a drive isle so each space would have direct access to and from the alley would be practically difficult. In addition, with the required drive isle and turn around area, 5 parking spaces may not be possible.

**ii. No Substantial Detriment to the Public Good**

Having two tandem parking spaces would allow for the five required spaces to be provided onsite as required and taking two vehicles off the street or alley.

**iii. No Substantial Harm to the Zoning Regulations**

The two tandem parking spaces would be easily accessible and the applicant would work with the users of the spaces to prevent conflicts. Therefore, the proposed layout with two tandem spaces would not substantially harm the Zoning Regulations.

**VI. COMMENTS OF OTHER DISTRICT AGENCIES**

Since there is a change of use, DDOT would review the proposal to assess if the removal of the curb cut along 9<sup>th</sup> Street is warranted. A DDOT Report is to be submitted under separate cover.

**VII. COMMUNITY COMMENTS**

ANC-6E, at its regularly scheduled meeting on September 1, 2015 voted in support of the application.